G. R. S. IX-5]

Previous references.

CB 237-19 Nos 3-6

1920-21

(CB)

File No. 202-19

Serial Nos. 15-16

Later references.

CB 135-21-N2 (Confd)
CB 52-22-182
CB 92-22-3
CB 8-23-8 to 11
CB 179-24-8 to 11
CB 269-26-182

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 15-16

Part B for May 1921.

SUBJECT.

Confirmation of Proy: Asst Commrs appointed in Jany 1918

No 1952 A 30.4.1921.

To Comptr.

Directs that messrs. BS. Raghavendra Rao Vedavyasacharya & T. Ramiah be Confirmed as Asst Commrs I class from 8.1.21

SR 16/5

WD 2238—GPB—20,000—14-6-20

G. R. S. III-2,

General and Revenue Secretariat.

CB File No. 202 of 19 G.

Serial No.

Sch. A

Mr. B.S. Raghavendra Rao

" V. Vedavyasacharya Flag 2

" G. Sundara Rao

" T. Ramiah -

Sch. B -

" CM. Chinnappa -

As per results published in the Gazette of 17/2/1921

The Marginally noted five Probationers were given an year of grace from 18th or 21st Jany 1920 on which date the prober period of 2 years expired for completing such tests which they had not passed -

Messrs Raghavendra Rao, Vedavyasacharya & Ramiah have passed successfully in Civil Part II & Mr. Vedavyasacharya has also passed in Accts Higher. These three officers have all undergone the necessary training & passed all the prescribed tests. They have also qualified themselves in equitation. They are thus eligible for confirmation.

As regards the date from which they are to be confirmed the present civil service rules are silent in the case of those who qualify themselves fully in the year of grace. According to the rule laid down in G.O.-No. G 5105-52 Gen - 25-10-32 of 7. 3. 1911, the confirmation will have effect from the date of the last of the prescribed Exms passed by them. In this case the dates of Exms passed by these probationers are 10th Dec 1920 & 8th Jany 1921 & 7th Feb 1921. ~~But the period of grace given to them expired on 18th or 21st Jany 1921 as the case may be. It is therefore for consideration~~ It is for consideration from what date either from 18th or 21st Jany 1921 or 10th Dec 1920 or 8th Jan 1921 ~~from 7th Feby 1921~~ they have to be confirmed

Flag 4

This also is a mistake.

NOTE—Contn. sheet.

General and Revenue Secretariat.

CB. File No. 202 of 1919.

Serial No.

P.W.D.

In this connection Mr. B.S. Raghavendra Rao submits a representation requesting in the circumstances of his case that his confirmation may be ordered with retrospective effect. The points on which he urges consideration are:-

(i) Delay in relief in Pdt. Dept., serious illness and afterwards & not getting privilege leave were causes of his not passing the prescribed tests during the prob'y period

(ii) His failure in Civil Procedure Code in Civil Part II held in May 1920 should not be held as a bar to his confirmation as other probationers who are B.L's of the Madras University are confirmed without passing that Exn. as this & other subjects are not studied for B.L.

(iii) Failure to pass a test in I.C.S or I.C.S in British India does not affect the rank of an officer obtained in competition

(iv) Govt have recently ruled that where the promotion of an officer has been stopped for gross & negligence, his next promotion & rank should not be prejudiced

(v) Deferment of his confirmation postpones his future promotions & thus operates as a cumulative punishment.

(vi) The Civil Service Rules having been modified or relaxed in some instances, his contention may also be granted

NOTE—Contn. sheet.

G. R. S. III-2.

3

General and Revenue Secretariat.

CB File No. 202 of 19 19.

Serial No.

Flag X

Flag W

Flag V.

Point i & ii supra have already been considered (Vide concession sanctioned in G.O. ✕ 25/6/19 & C.B. 237✕-19.) Point iii is new - Point iv does not apply to the case of a Probationer who does not fill a progressive appointment. Point v is in accordance with Civil Service Rules.

As regards the sixth point the rules were relaxed in the case of Mr. T. Abdul Khader and it is for consideration whether Mr. Raghavendra Rao's circumstances are in all fours with those of Mr. Abdul Khader.

Next, action has to be taken in regard to Mr. G Sundara Rao who has not passed Civil Part II & Mr. C M Chinnappa who has not passed Civil Parts I & II & Accts Higher. The former is in sanctioned charge and the latter is ~~attached to the~~ also posted to a sanctd. charge which he is not has not yet joined & is not likely to join for 3 months more as he has been recommended 8 months' furlough from the date of relief by Mr. Sundara Rao.

The file separately sent to the Dewan

Council Matter

Submt. for orders

HM 18/2/1921

The date of Exams. is not 7th Feb? but some date in Dec. The 7th Feb 21 Exams. is only a re-exams. for a mistake which occurred in the Pass office. Please note the correct date.

MK 18/2.

P.T.O

NOTE—Contn. sheet.

General and Revenue Secretariat.

CB File No. 202 of 1919.

Serial No.

The Civil Court II + Accts Exs were notified to be held on 10th Dec 1920 + but the Exs in Mortgages (under a portion of Civil Court II) were held on 8th January 1921.

AGM 18/2/1921

The confirmation of the fully qualified officers should have effect from 15th Dec 1920 the date on which the Examns & the undergone by the officers was fixed. The change of date occurred owing to some mistake in the distribution of papers etc. and for this mistake the officers should not be penalised. Again the date on which the results are published is not the most to be taken into account but only the date on which the Examiner sat & take his Subject. Mr Raghavendra Rao's prayer is the most fitting for consideration. The case has been fully noted upon previously in regard to all relevant points so far as the Civil Service rules are concerned, and if a reconsideration order is deemed desirable, the revision of the rules themselves will have to be contemplated.

MK 18/2/21

Chief Secy)

Please note below the names of the Probs

NOTE—Contn. sheet.

5

G. R. S. III-2.

General and Revenue Secretariat. | RB File No. 202 of 19 19.

Serial No.

Shown against each the date of appointment, the date expiry of period of grace, the Exam passed with date of Exam & the Exam still remains to be passed

Subt

Name of Probationer	Date of appointment	Date of expiry of period of grace	Exams passed with date of Exam	Exams still to be passed
			Ex 1912	
		Sch A		
(1) Mr B. S. Raghavendra Rao	18.1.1918.	18.1.1921.	Rev Hr + Regn May June 1918 Col Hr Ac Hr Civil P I May 1920 Civil Part II Dec 1920.	Nil
(2) " V. Vedavyasacharya	18.1.1918	18.1.1921.	Regn May 1918 Rev Hr May 1919 Kan Ex Aug 1919 Col Hr. C I May 1920 Ac Hr & C II Dec 1920	Nil.
(3) " G. Sundara Rao	18.1.1918	18.1.1921.	Regn May 1918 Rev Hr Col Hr Ac Hr C I May 1920	Civil P II
(4) " T. Ramiah	18.1.1918.	18.1.1921	Rev Hr Regn May 1918 Col Hr May 1919 Kan Ex Aug 1919 Ac Hr C I May 1920 C II Dec 1920	Nil
		Sch B.		
(5) " CM. Chinnappa	21.1.1918,	21.1.1921.	Rev Hr 20/6/1918 Kan Ex Aug 1919 Regn & Col Hr May 1920	Ac Hr Civil P I & II

RAM Chief Secy 21/2/1921

MK 21/2/21

NOTE—Contn. sheet.

General and Revenue Secretariat. | CB File No. 202 of 19 19

Serial No.

8 Jany 1921

Messrs Raghavendra Rao, Vedavyasacharya & Ramiah have now fully qualified themselves by passing all the prescribed Exams. Only the papers in Civil Part II had to be set again and the Exams actually took place only on 8th & 9th Jany & 1st & 2nd Feb 1921, — (after the Expiry of the 4 years grace). But this Amendment affects the Probationers prejudicially, and for the purpose of their confirmation, the date of the last of the Examinations which they had to pass may be taken as to be 1919 (the original date fixed for the Exam). They may be confirmed with effect from that date.

2. Mr Raghavendra Rao has again raised the question of his confirmation retrospectively. His case should be carefully considered on previous occasions and it has been decided to reject the request. I consider that the additional reasons now advanced by him really affect the merits of the case.

3. Messrs J. Sundara Rao & Channappa have not fully qualified themselves even

NOTE—Contn. sheet.

C&S 8

7

G. R. S. III-2]

General and Revenue Secretariat.

CB File No. 202 of 1919.

Serial No.

Mr. Srinivasa Raghavayya has passed the Civil Service Examination. He has passed Accts. Higher & Civil Parts I & II. His two papers are to be dealt with in a special manner. Under proviso 2 to Rule VIII of the C.S. rules "if the case of a probationer fails to pass all the tests within the third year, his name must be removed from the list of probationers". As he may have passed a good number of the Examinations, he may perhaps be given leave without allowance till the next Exam., & this case finally disposed of within the period of that Exam.

Comment makes. Sewell 23/3/19

Please circulate for a meeting

CCR 25.3.21

circulated 25/3

I agree with the Ch. Secy. generally. I strongly feel that the case of Mr. B.S. Raghavendra Rao is deserving of favourable consideration.

Pres 1-4-21.

NOTE—Contn. sheet.

8

(For Disposal at a Meeting)

No. C. 553

1920-21.

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

(Clause v of the Schedule.)

Confirmation of certain Probationary Assistant Commissioner appointed in 1918.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

26th March 1921.

Offg. *Chief Secretary to Government.*

Extraordinary Member of Council. 5.4.21.

First Member of Council.

4974-277
31-3-21.

Second Member of Council. Opinion recorded
1.4.21.

5605
1-4-21

Third Member of Council.

2/4

Extract from the Proceedings of the 564th *Meeting of the Council of His Highness the Maharaja, held at Bangalore on the* 14th April 1921.

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350. Subject. - Clause V of the Schedule.

Confirmation of certain Probationary Assistant Commissioners appointed in 1918. (C.S.983).

Opinion of the Council.

The undermentioned Probationary Assistant Commissioners may be confirmed with effect from the 8th January 1921:--

1. Mr. D. T. Madhavendra Rao.
2. ,, V. Vedavyasacharya.
3. ,, T. Ramaiya.

Messrs. Gundara Rao and Chinnappa may as a special case be given leave without allowances for one year and given a further chance to pass the remaining examinations.

"EXTRACT"

(Sd.). M. Kantaraj Urs,
Dewan of Mysore.

Chief Secretary to Government.

WD 433—GPB—1,000—1-9-20

C 553 10

G. R. S. III-2]

General and Revenue Secretariat. | CB File No. 202 of 19 19.

Serial No.	
	D.S.N subt 18/4/1921 Dhwan)

NOTE—Contn. sheet.

Submitted to His Highness.

***

These papers relate to the cases of the marginally noted Probationary Assistant Commissioners appointed in January 1918 whose probationary period was extended by an year (of grace) in G.O. No.471-2/C.B. 237-19-5 dated 2nd October 1920, for completing such of the prescribed tests as they had not passed.

Sched. A.

1. Mr. B.S.Raghavendra Rao
2. Mr. V.Vedavyasacharya
3. Mr. G. Sundara Rao
4. Mr. T. Ramiah.

Sched. B.

5. Mr. C.M.Chinnappa

2. Messrs, Raghavendra Rao, Vedavyasacharya and Ramiah have now fully qualified themselves by passing all the prescribed tests, the date of the last of the examinations, Civil Part II, being the 8th January 1921. They have undergone the training in the work of Taluk, Sub Division and District Offices and Treasury Procedure, and qualified themselves in equitation. They are thus eligible for confirmation.

Mr. G. Sundara Rao has yet to pass in Civil Part II and Mr. Chinnappa in Accounts Higher and Civil Parts I & II.

3. Mr. Raghavendra Rao has submitted another representation requesting that he may be confirmed retrospectively without prejudice to his relative rank. His case has already been decided (vide Mr. Campbell's demi-official letter No.81 dated 13th September 1920), and no new grounds are urged.

4. The subject was considered at the meeting of Council on the 14th April 1921 when the following opinion was recorded:-

Page 9 of office Notes

" The undermentioned Probationary Assistant Commissioners may be confirmed with effect from the 8th January 1921:-

1. Mr. B.S.Raghavendra Rao
2. Mr. V.Vedavyasacharya
3. Mr. T.Ramiah.

" Messrs. Sundara Rao and Chinnappa may as a special case be given leave without allowances for one year and given a further chance to pass the remaining examinations."

B

A similar concession was shown in the case of Revenue Probationers, Messrs. P.S.Purnaiya and A. Madhava Iyengar.

5. The recommendation of the Council may be graciously sanctioned.

22nd March 1921

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Confirmation of Messrs. B.S.Raghavendra Rao, V.Vedavyasacharya and - T. Ramiah, Probationary Assistant Commissioners; and grant of leave without allowances for one year to Messrs. G .Sundara Rao and C.M.Chinnappa to pass the remaining examinations.

1108

Order.

~~KRW~~
25/4/21

C-L
26.4.21

Pl. issue orders
for issue of
leave
26/4/21

p553 783

G. R. S. III-2]

General and Revenue Secretariat.

CB File No. 202 of 1919

Serial No.	
	Draft Note & G.O. subt.
	26/4/1921 Submitted. 27/4
15	To the Revenue Comptroller No. 1950-51 dt 30.4.1921 Directs that Messrs G. Sundara Rao & C. M. Chinnappa be given Leave without allowances for 1 year to pass the remaining examinations prescribed for Confirmation
16	To the Compiler, Mysore Gazette No. 1952 dt 30.4.1921 Notifies the Confirmation of Messrs B. S. Raghavendra Rao, V. Vedavyasathirtha & T. Ramiah as Assistant Commissioners Class, Sch. A with effect from 8th January 1921.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to the Members of Council for perusal of

His Highness' orders ~~before~~ / after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Govt.

Through the Secretary to Government,

.....Department.

FIRST MEMBER OF COUNCIL 3.5

5792-55. 3.5.21

SECOND MEMBER OF COUNCIL 4.5.21

6180 A 6.5.21

THIRD MEMBER OF COUNCIL. 7/5

NOTE—Contn. sheet.

A B. S. Raghavendra Rao. M.A (Hons)

Mysore Civil Service.

MEMORANDUM. No. 184

Dated 12/4

Secretariat

I write here the file of this officer's rank. - All letters. o —

12.4.

Chief Secy with Confls -

C.S. Confl file

File Sent.

12/4/21

Included in the Secretary for next meeting of Cl.

Sd/-

12/4/21 Sec'y

13.4

Memo of Representation of Mr. B. S. Raghavendra Rao.

Arts Examinations Passed. B. A. (English) I Class.
M. A. (Science) I Class.

F a c t s.

Passed the Mysore Civil Service Examination and appointed on 18th January 1918. Could not be relieved in the Education Department where I was then employed in spite of representations.

Reported for Taluk training as late as in April 1918. 1st Departmental Examination was held in May 1918. So had not enough time to prepare for that examination in those subjects for which I appeared.

Was ill with Typhoid between March and June 1919 and so could not avail of the 2nd examination which was held in May 1919. So the 1st two chances were for me no chances at all.

The 3rd (and first examination for me) was in May 1920. But was posted to the Comptroller's Office in January 1920. So No time to study at all even for this Exam. Passed in all subjects except Civil Procedure part of Civil Part II. Passed this part in December 1920.

R e p r e s e n t a t i o n.

1. Requests to be confirmed from 18th January 1920, failure in Civil Procedure not being taken to count since B.L.'s of the Madras University are confirmed as Assistant Commissioners without passing that Examination.

2. (a) I had practically only one chance as against three that my co-officers had and the failure to qualify in the prescribed period was due to causes beyond my control

control.

(b) In the I. C. S. and F. C. S. and P. W. D. (Madras) rank once obtained is not lost by failure in departmental examinations. On the same analogy I may also be confirmed with effect from the previous date.

(c) Such concessions have already been shown.

(d) By my not being confirmed with effect from the previous date cumulative punishment will result since each of my future increments will be set back by nearly one year and 14 officers will supersede me. In a recent instance Government have ordered that even though an officer's promotion is stopped for various reasons he should not lose his relative rank. Submitted that my case also may be treated with the same consideration.

(e) In the Mysore P.W.D. where failure to pass departmental examinations entails the same consequences as in the M. C. S., Mr. Y. Ramaswamy, whose case was quite similar to mine and who failed in the departmental examination has been restored by Govt to his proper place quite recently. On the same analogy my place may also be restored and my request to be confirmed with retorspective effect kindly granted.

B. Raghavendra Rao

12th Apl. 1921

CB983.

From

B. S. Raghvendra Rao, Esq., M. A., (Hons).

Probationary Assistant Commissioner,

Bangalore.

(Through the Comptroller to the Government of Mysore.)

To

K. Matthan, Esq., B. A.,

Offg. Chief Secretary to Government,

Bangalore.

Sir,

Adverting to my representation ~~dated~~ no 1943/R S 21.6.20 and Government orders thereon, I beg to humbly submit that the order does not take account of all the material facts of the case and therefore request you to kindly place this representation before Government for favourable consideration and orders.

G.O. no 475 C.B. 237-19-6 S 2 10/1920

2. I have already stated that owing to my being retained in the Education Department in spite of my representations I could not avail of the first chance and an attack of typhoid fever prevented me from sitting for the second.

3. Thus I lost the first two chances and I could not avail myself fully of the third as I did not get any leave, eleven months not having elapsed since my return to duty. I have already submitted how in spite of these adverse circumstances I passed all the five tests and failed only in Civil Procedure, a failure I could not account for.

I have however fully qualified myself by passing this Examination in December 1920.

4. I submit to Government once again that my failure in Civil Procedure should not be a bar to my confirmation since, my colleagues that are B. L.'s of the Madras University are confirmed without passing either in Civil Procedure or Criminal even though these subjects are not studied for the B. L. Examination

Examination. An oversight though this may be it ought not I submit place my colleggues in any the better position than myself. There having been instances where the Civil Service rules have been modified or relaxed by Government I request that my contention may kindly be granted. Only recently, on the analogy of the rules in British India certain amendments were introduced and I beg to submit that in British India a failure to pass a test either in F.C.S. or I.C.S. does not affect the rank of the officer obtained in competition whereas here by a failure in a part in which others are not even required to pass I stand to lose about 14 places. Again a recent G.O. states that even when the promotion of an officer is stopped for gross negligence, etc., his next promotion and his rank should not be prejudiced. I submit to Government that I should not be placed in a worse position than the case contemplated above for a failure in part of an examination and that not entirely due to my own fault. Cumulative punishment is intended to be avoided by the above G. O., and I request that the same consideration may be shewn to me. I would also like to place before Government that by not being confirmed with retrospective effect I shall be permanently set back by one year, since I shall earn my future promotions only one year after it becomes really due. Fourteen of my juniors will also supersede me and I appeal to Government to determine if I am to be punished so heavily for not having qualified myself in the prescribed period.

5. Considering the above circumstances and that Government had given me an assurance that service in the Education Department would not prejudice my future prospect and also the other extraordinary combination of adverse circumstances which unfortunately came in my way, I most humbly request Government to kindly order my confirmation with retrospective effect.

I have the honour to be,
Sir,
Your most obedient servant,
B. Raghavendra Rao
14. 2. 1921
Pro. Assistant Commissioner.

Forwarded.
J. Duffy
Comptroller.

Bangalore.
Date. 14th Feb 1921

G.R.S. VI-71]

ab V
2 Drafts

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section CB
File No. 202-19
Serial No. 15

General and Revenue Secretariat

( )

, the 191 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 30/4/21

Signed by... Mr K. Matthan

Read—

G.O. No. 471-2 dt 2.10.1920
CB 237-19-5

extending the probationary period of certain Prob. Asst (amm) by an year of grace for completing the local test for becoming eligible for confirmation -

May this be

i Printed ?

treated as a standing order ?

published in the Gazette, English Part ?

translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

Order ~~Thereon~~—No. 1950-51/CB 202-19-15
Dated 20th April 1921.

Messrs G Sundara Rao & Chi.
Chinappa whose probationary period was extended by an year

have not ~~passed~~ ~~the former~~ in Civil Part II

& ~~the latter in~~ Accounts Higher & ~~Civil Parts I & II~~ get full Qualified themselves & pass all the prescribed Exams

They will, as a special case be given leave without allowances for one year and given a further chance to pass the remaining Examinations.

The Revenue Commr is requested to communicate the above order to the two Probationers and take the necessary action to give effect to it.

by

Offg Ch: Secy to Govt

List of enclosures.

To The Revenue Commr in Mysore

Comptroller, Mysore Govt

HAM jun
26/4/1921

Copied by

Examined by

WD 1744—GPB -30,000 -17-3 18

No V
2 Drafts

G. R. S. VI—G/32].

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT
( )
the 191 .

Date of issue 30/4/21

Signed by.. W. K. Matthan

Section CB
File No. 202-19
Serial No. 16

Notn. No. 1952/CB 202-19-16
Dated 30th April 1921.

To

Messrs B. S. Raghavendra Rao, V. Vedavyasachanya and T. Ramiah, Probr Asstt Commrs are confirmed as Asstt Commrs, V class, Sch A with effect from the 8th Janry 1921.

By order

Offg Ch: Secy to Govt

To The Compiler, Mysore Gazette, for publication in the Gazette.

Copy forwarded to (1) Revenue in Mysore (2) Comptroller, Mysore Govt

By order.

Offg Ch: Secy

(1) 1953 " 30 4/21
(2) 1954 do